

PURPOSE:

To ensure that the capabilities, responsibilities and limitations of Chesapeake Public Library's Notary Public services are clear to staff and customers.

POLICY:

DEFINITIONS

- **Document:** An original or official paper relied on as the basis, proof or support of something.
- **Notary Public:** A person legally empowered to act as an official, unbiased witness to the identity and signature of the person who comes before the notary for a specific purpose.
- **Signer:** An individual whose signature is required upon the document to affirm statements within.
- **True Copy:** A photocopy of an original, unaltered document.
- **Witness:** An individual who knows the signer personally.

The Chesapeake Public Library offers free Notary Public services for the benefit of Library customers. The Library provides Notary Public service in accordance with the Virginia Notary Public Manual, published by the Office of the Secretary of the Commonwealth, and is available on their website:

<https://commonwealth.virginia.gov/official-documents/notary-commissions/>

Notary Publics may decline to provide notary service at the notary's discretion. The following guidelines will be followed in the provision of Notary Service:

CHESAPEAKE PUBLIC LIBRARY NOTARY DUTIES and RESPONSIBILITIES

A Notary Public:

- Takes acknowledgments
- Administers oaths and affirmations
- Certifies true copies of documents except vital records and court-issued reports
- Certifies affidavits or depositions of witnesses
- Performs other acts as may be specifically permitted by law or Chesapeake Public Library Notary Policy 1015

A Notary Public is to act as an impartial witness as he or she certifies signatures. Library Notaries are prohibited from notarizing a document that has already been signed by the customer.

A Notary Public is prohibited from giving advice or instruction regarding documents to be notarized. Notary Publics will not provide service if the customer, document or circumstances of the request for Notary Public service raise any issue of authenticity or uncertainty. In this event, the Notary Public may, at his/her sole discretion, decline to provide Notary service without explanation.

Notary Publics are prohibited from pre-dating or post-dating an action, preparing a legal document or giving advice on legal matters, or notarizing documents in which they have a personal interest.

By law, Virginia Notary Publics are prohibited from certifying true copies of vital records such as birth, marriage, death, and court-issued documents, regardless of country of origin. The Notary Public may notarize a written affidavit of a copy and witness the signature. The responsibility for the content of the written affidavit belongs to the person requesting the notarization of the affidavit. The Library is prohibited from taking responsibility for notarized copies that are deemed unacceptable for their intended purpose.

Notary Publics are prohibited from completing or notarizing government Form I-9, (Employment Eligibility Verification), as they do not act as authorized representatives for employers to verify employment eligibility of employees.

If a Chesapeake Public Library Notary Public declines to notarize a document for a customer, the Notary Public may not refer the customer to another Notary Public on staff. Customers are welcome to use Library public computers to search for Notary Publics in the area.

The Notary Public only keeps a general description of the document and is not responsible for notarized documents that are lost, stolen, misplaced or considered invalid.

The Notary Public must be able to read and understand the language in which the document(s) to be notarized are written. Notary Publics are prohibited from notarizing documents which they cannot read or understand.

The Notary Public and the customer seeking notarization must be able to communicate directly with each other without using translators or intermediaries.

AVAILABILITY

Notary Public services are available during the Library's regular hours with the exception of the first and last thirty (30) minutes of the Library's operating hours. Notary service may not be available if regularly scheduled staff is unavailable. Customers should call the desired library location to ensure availability.

Notary Public services are a courtesy provided by the Library. There may be a wait for Notary Public services; services may be temporarily suspended for any reason.

The Library provides only basic Notary Public Services. Notaries are limited to notarizing three (3) simple documents per person, per day.

A simple document is defined as:

- A one (1) to two (2) page document with no more than two (2) signers
- A document with no more than two (2) pages which need the notarial statement
- A document with clear indication as to where the signature should go

SIGNER PREPARATION

The Library will not provide witnesses. Soliciting witnesses from customers using the Library is prohibited.

Documents must be signed in the Notary Public's presence. All signers must be present and provide current, unexpired photo identification.

Valid government-issued photo identification in English is required of any customer seeking Notary Public service. Photo identification should be provided by all signers, even if the persons are “known.”

Customer must bring current, unexpired photo identification with a signature.

Acceptable forms of ID:

- United States Passport
- United States Passport Card
- Certificate of United States Citizenship
- Certificate of Naturalization
- Foreign Passport
- Alien Registration card with photograph
- State-issued driver’s license
- State-issued identification card
- United States military ID card

Chesapeake Public Library Notary Publics are prohibited from notarizing incomplete documents, which may be caused by the following:

- Empty fields on the document:
 - All fields must be filled in. If the field does not pertain to the customer, the customer must use an appropriate phrase such as “Not Applicable,” “Does Not Apply,” “Intentionally Left Blank” or “None.”
- Failure to follow directions
 - Some documents may specifically request certain information such as writing N/A in certain areas that do not apply or asking for full name as it appears on the driver’s license. If the customer fails to comply with instructions, the Notary Public is prohibited from notarizing the document(s).
- Lack of either a notary statement or space for the notary statement on the same page as customer’s signature.

Chesapeake Public Library Notary Publics may decline to provide notary services at their discretion.